

LAND LAW IRELAND ACT, 1881.

RULES

ISSUED BY THE

IRISH LAND COMMISSION,

Dated 10th of May, 1883.

Presented to both Houses of Parliament by Command of Her Majesty.



DUBLIN:

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THE QUEEN'S PRINTING OFFICE.

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1883.

[C.—3634.] Price $\frac{1}{2}d.$

LAND LAW IRELAND ACT, 1881.

Thursday the 10th day of May, 1883.

It is THIS DAY ORDERED that the Rules 117 to 129 inclusive of the Rules of 1st October, 1881, and Rule 142 of 14th March, 1882, shall not apply to proceedings commenced after the date of this order under the 5th part of the Land Law Act, Ireland, 1881, and that the following Rules be applicable to all proceedings commenced after this date.

PART V.

Acquisition of Lands by Tenants.

164. Where an application is made for an advance under section 24 of the Act, to enable a tenant to purchase his holding, either in consideration of a principal sum or of a fine and fee-farm rent, such application may be made in Form No. 50, signed by the landlord or his authorized agent, and by the tenant, and shall contain the particulars, and be verified, as therein mentioned.

165. Every application under the foregoing section or under section 26 or 29 of the Act shall be accompanied by the sheet of the Ordnance 6-inch map, distinguishing thereon the holding or holdings of the tenant or tenants in respect of whose holding or holdings application is made.

166. If it shall appear to the Commission necessary to make a survey or a preliminary inquiry in respect of any application, they may before entertaining it require the applicant to lodge such sum as they may consider sufficient to cover the reasonable expenses of such survey or inquiry.

167. When either landlord or tenant desires the sale to be negotiated and completed through the medium of the Land Commission, such application may be in the Form No. 52; and the Land Commission may entertain the application, provided the landlord undertake to pay for the expenses of such negotiation and completion by per-centage on the

purchase-money, according to the scale hereinafter mentioned.

The following shall be the scale until the same be altered by order.

	£	s.	d.
For the expenses of negotiation, up to and including signing of contract,	0	10	0
For subsequent expenses, including (if contract be completed) conveyance from landlord to tenant, mortgage to Commissioners, Registration and Stamp duty.			
When the purchase money does not exceed £500, £2 per £100.			
" " is over £500, but does not exceed £1,000, £1 10s. per £100.			
" " is over £1,000, but does not exceed £5,000, £1 per £100.			

168. On receiving any such application as mentioned above, the Land Commissioners shall take such steps for negotiating and completing the sale either by sending an officer to communicate orally with the landlord and tenants respectively, or by written communication or otherwise, as may in each case seem advisable.

169. In every case of sale by a landlord to a tenant, including cases coming within Rule 167, the vendor shall furnish to the Land Commission a statement of his title, and the Land Commission may require such rentals, accounts, and other documents to be furnished and verified as they may think fit.

Where the sale does not come within s. 24 (2) of the Act, the landlord shall undertake to pay the Land Commission all outlay incurred by them in relation to the sale and advance, or shall lodge such amount as the Land Commission may estimate as the reasonable expenses in connexion therewith.

170. Where a landlord desires to sell his estate, and contemplates the purchase thereof by the Land Commission for the purpose of re-sale to the tenants, he may make application to the Land Commission in Form No. 53, and thereupon the Land Commission may negotiate with the landlord with respect to the price at which he will be willing to sell, and may require the landlord to sign a proposal which may be in Form No. 54, containing an undertaking to pay for the expenses of the sale by him

to the Commissioners, according to the following scale :—

For the expenses up to and including notice by the Commission to the landlord of their being willing to purchase,	£	s.	d.
Together with the subsequent expenses—that is to say, the actual outlay by the Commission in completing the sale.	0	10	0 per £100.

171. Upon such proposal being signed, the Commission shall satisfy themselves that a competent number of the tenants are able and willing to purchase their holdings, and shall obtain from a competent number of the tenants, an undertaking to purchase their holdings which may be in Form No. 55. The Commission will estimate the entire expense of carrying out the sale by them to the tenants, and shall have regard to such estimate in settling the prices at which the respective tenants are to purchase their holdings.

172. In special cases the Commission may, with the assent of the Treasury, reduce the amount to be paid either under rule 167, or rule 170, below the scale therein mentioned.

173. The Land Commission on being satisfied that the purchase is one authorized by the Act, and is desirable, shall notify same to the landlord, and may require the landlord to furnish his abstract of title, which shall be investigated in the usual way on behalf of the Commission.

174. Upon the title being approved of, the tenants shall be called upon to lodge the one-fourth of the purchase-money, or one-half of the fines, as the case may be, and the Commission shall not be deemed bound as having contracted to purchase from the landlord, or to sell to the tenants, until such amounts shall have been lodged, and by such number of tenants as are required by the Act. Thereupon the purchase from the landlord shall be completed, and the Commission shall execute to each tenant who has proposed to pay the whole price of his holding, and who has made the due lodgment, a conveyance of his holding, and shall execute to each tenant who has proposed to purchase in consideration of a fine and a fee-farm rent, and who has made the due lodgment, a fee-farm grant of his holding.

175. Where a competent number of tenants, on any estate, desire the Land Commission to purchase the estate for re-sale to them, they shall lodge with the Land Commission an undertaking on Form 55, specifying what sums they are prepared to pay in cash, and they shall lodge such sum as the Land Commission may require, to cover the expenses of negotiation, survey, and valuation, and if the sale be effected such sum shall be deemed part of the purchase money.

176. When an application asking the Land Commission to purchase an estate, shall have been lodged, the Land Commission shall on being satisfied that the purchase is an expedient one endeavour to negotiate the purchase of the estate, and shall require the tenants to lodge their cash proportion of the purchase-money, and the landlord to lodge his title for investigation in the usual manner.

177. The Commission shall not be deemed to have contracted to purchase from the landlord, or to sell to the tenants until the due amounts shall have been lodged by such number of tenants as are required by the Act. Thereupon the purchase from the landlord or other vendors shall be completed, and the Commission shall execute to each tenant who has proposed to pay the whole price of his holding, and who has made the due lodgment, a conveyance of his holding, and shall execute to each tenant who has proposed to purchase in consideration of a fine and a fee-farm rent, and who has made the due lodgment, a fee-farm grant of his holding.

178. Where a tenant intends to bid for or to purchase a holding on an estate for sale in the Court of the Land Judges of the High Court of Justice, and requires an advance for the purpose, he shall apply on Form 58, and shall accompany his application by a copy of the rental of the estate, or of the Consolidated Final Notice to tenants, and the Land Commission may sanction an advance conditionally upon the tenant being declared purchaser of his holding.

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LAND LAW IRELAND ACT, 1881.

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Dated 25th of May, 1883.

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1883.

[C.—3645.] Price $\frac{1}{2}d$.

LAND LAW (IRELAND) ACT, 1881.

Friday the 25th day of May, 1883.

179. Whenever under the provisions of Rule 25 it is required that two copies of an originating notice shall be served on the Clerk of the Peace, both said copies shall be endorsed with the time and mode of service of the party or parties served, and Rule 26 is hereby varied accordingly.

